ч

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,678	03/31/2001	Wai H. Pak	M-11538 US	6116

60975 7590 02/15/2007	EXAMINER	
CSA LLP	BRUCKART, BENJAMIN R	
4807 SPICEWOOD SPRINGS RD.		
BLDG. 4, SUITE 201	ART UNIT	PAPER NUMBER
AUSTIN, TX 78759	2155	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/823,678	PAK, WAI H.
	Examiner	Art Unit	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 December 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-98* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-98* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1-98 are pending in this Office Action.

Claims 1, 12, 23, 37, 46, 55, 65, 73, 81, and 89 have been amended.

Response to Arguments

Applicant's arguments filed 12/18/06 have been considered but are moot in view of the

new ground(s) of rejection.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-98 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter and software per se. Applicant's specification embodies the invention in non-statutory mediums such as carrier waves, signals (see applicant's specification page 81, second paragraph) and software.

Claims 1-11, 97-98 are directed to 'an inter-module communication' with a message. The message is not embodied and the claim is software per se.

Claims 12-22 are directed to 'an inter-module' interface definition with a message definition. The message definition is not embodied in the claims and is software per se.

Claims 23-36 are directed to a method, which would be a process, but the body of the claim defines forming a message and not steps of a process.

Claim 37-45 are directed to a computer system with computer readable medium which is directed to non-statutory material based on the intrinsic definition from the specification.

Claim 46-54 are directed to a computer program product encoded in a computer readable medium which is directed to non-statutory material based on the intrinsic definition from the specification.

Claims 55-64 are directed to an apparatus for inter-module communication, which would be a machine, but the body of the claim defines forming a message which is software per se and not embodied

Claims 65-72 are directed to a method, which would be a process, but the body of the claim defines a message which is devoid of steps of a process.

Claim 73-80 are directed to a computer system with computer readable medium which is directed to non-statutory material based on the intrinsic definition from the specification.

Claims 81-88 are directed to a computer program product encoded in a computer readable medium, which is directed to non-statutory material based on the specification.

Claims 89-96 are directed to an apparatus for inter-module communication, which would be a machine, but the body of the claim defines means for receiving a message that only defines the message.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 23-36; 55-64; 65-72; 89-96 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitations of the claims are not reflective of the preamble. The preambles state methods, apparatuses, and modules that do not define the processes, machines, or software but merely define a message which is not part of any process, machine, or software module itself.

<u>**Claim Rejections - 35 USC § 102**</u>

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-98 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent
Publication No. 2001/0042131 by Mathon et al.**

Regarding claim 1, an inter-module communication [para 10: system allows for communication

over the internet; communication modules are inherent pieces communication; software

components] comprising:

a message (para 10: 'system provides for secure transfer of messages'), wherein

said message comprises customer relations management system information (1*) and

other customer relations management system information (2*),

said customer relations management system information comprises at least one of agent

information and work item information (1*: para 15; source, destination; routing instructions); or

work information is the price/purchase tracking information),

said agent information comprises information regarding an agent (para 14; the

customer/business),

said work item information comprises information regarding a work item (para 3; the

order),

said other customer relations management system information is other than said agent

information and said work item information,

said other customer relations management system information comprises at least one of a command, request, and a notification (para 58, 70), and

said message is configured to be pushed from a customer relations management system by virtue of at least a portion of said message is encoded in a markup language (para 12-13; xml is a markup language that the message is formatted in. The EDI application is the customer relations management system that delivers these messages).

Regarding claim 2, the inter-module communication of claim 1, wherein

said notification comprises at least one of notification of an event and autonomously provided information (para 70).

Regarding claim 3, the inter-module communication of claim 2, wherein

said customer relations management system information further comprises at least one of queuing information, statistical information (para 13), connection information and rule information.

Regarding claim 4, the inter-module communication of claim 1, wherein

said other customer relations management system information comprises said command, said command configured to cause a module receiving said message to perform an operation (para 70).

Regarding claim 5, the inter-module communication of claim 1, wherein

said other customer relations management system information comprises said request, said request configured to cause a module receiving said message to reply with requested customer relations management system information (para 14).

Regarding claim 6, the inter-module communication of claim 2, wherein

said other customer relations management system information comprises said notification, said notification is generated by a module generating said message (para 56, Fig. 4, tag 404).

Regarding claim 7, the inter-module communication of claim 1, wherein

said message is communicated in order to cause a function to be performed, and

said function is one of an agent-related function, a work item-related function, a

statistics-related function and an administrative function (para 70, 71).

Regarding claim 8, the inter-module communication of claim 7, wherein

said agent-related function is one of an AgentLogin command, an AgentLogout

command, an AgentInitAuxWork command, an AgentAllMediaAvailable command, a

ChangeAgentMediaMode command, a ChangeAgentskill command, a RequestAgentstate

request, a RequestAgentMediaMode request, a Requestsystemstate request (para 58, 70), a

RequestAgentWorkableList request, a RequestWorkItemAssignment request, a

RequestAgentWorkItemList request, and a RequestAgentMediastate request.

Regarding claim 9, the inter-module communication of claim 7, wherein

said work item-related function is one of an AddWorkItem command, a

RequestWorkItemstatus request (para 10, 14), an AcceptWorkItem command, a RejectWorkItem

command, a CompleteWorkItem command, a WrapupWorkItemResponse command, a

WrapcompleteWorkItem command, an HoldWorkItem command, an UnldoldWorkItem

command, a BlindTransferWorkItemToAgent command, a TransferWorkItemToAgent command

and a TransferWorkItem-roRoute command.

Regarding claim 10, the inter-module communication of claim 7, wherein

said statistics-related function is one of a SetchannelstatInterval command, a

SetRoutestatInterval command, a StartAgentstat command, a StopAgentstat command and a

Getsystemstatistics request (para 65).

Regarding claim 11, the inter-module communication of claim 7, wherein

said administrative function is one of a UQopenconnection command (para 16), a

UQReopenconnection command, a UQInitRules command, a UQReplaceRules command and a

UQDisconnect command.

Regarding claim 97, the inter-module communication of claim 1, wherein

said customer relations management information includes customer relations

management information (para 3, 10, 11).

Regarding claim 98, the inter-module communication of claim 1, wherein

said customer relations management system information includes customer relations

management software information (para 10-12).

Regarding claim 26, the method of claim 23, further comprising:

communicating said message from a commerce server to a universal queuing system

(para 62-63)

Regarding claim 35, the method of claim 23, further comprising:

sending said message (para 10).

Regarding claim 36, the method of claim 35, further comprising:

receiving said message (para 16).

Claims "12-98" do not teach or define any new limitations above claims "1-11, 26, 35

and 36" and therefore are rejected for similar reasons. The inter-module communication, method,

computer system, computer program product, inter-module interface definition and apparatus are

substantially similar to each other and likened to be the hardware, software, instructions, format

in which the claimed invention runs. The Mathon reference provides anticipation for the claimed

features both explicitly and inherently features with the EDI communication module and xml

formatted messages running on a network between a source and destination (para 10-15).

REMARKS

The applicant has provided amendments to the claims with remarks. The 101, and subsequent 112 rejection are added necessitation the second non-final rejection. The examiner has explained the independent limitations with more detail and maintains the rejection. Applicant's claims are broad and directed to software.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155
brb

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER